

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

GEM YIELD BAHAMAS LIMITED and GEM
GLOBAL YIELD LLC SCS,

Petitioners,

vs.

MULLEN TECHNOLOGIES, INC. and MULLEN
AUTOMOTIVE, INC.,

Respondents.

Case No. 1:24-cv-01120-KPF

**[PROPOSED] ORDER AND
JUDGMENT**

Petitioners GEM Yield Bahamas Limited and GEM Global Yield LLC SCS (“Petitioners”), having submitted an application to this Court (Dkt. 1, the “Application”) pursuant to the New York Convention on the Recognition and Enforcement of Foreign Arbitral Awards, which is implemented by Chapter 2 of the Federal Arbitration Act, 9 U.S.C. § 201 *et seq.*, for an Order (i) confirming an interim measures nondomestic arbitration award under the Court’s primary jurisdiction issued on January 24, 2024 (the “Interim Measures Order”) by the arbitrator in an arbitration proceeding between Petitioners and Respondents Mullen Technologies, Inc. and Mullen Automotive, Inc., entitled *GEM Yield Bahamas Limited and GEM Global Yield LLC SCS v. Mullen Technologies, Inc. and Mullen Automotive, Inc.*, AAA Case No. 01-21-0016-7001 (Dkt. 5-1); (ii) directing that judgment be entered upon the Interim Measures Order, and (iii) granting such other and further relief as the Court deems just and proper; and Petitioners’ having moved for summary judgment on their Application to confirm the Interim Measures Award; and upon this Court’s due consideration of the Application, Petitioners’ Memorandum of Law In Support of their Motion for Summary Judgment, the Parties’ jointly submitted Rule 56.1 Statement of Undisputed Material Fact and accompanying

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joint exhibits, Respondents' Memorandum of Law in Opposition to Petitioners' Application to Confirm Interim Measures Arbitration Award and in Support of Respondents' Cross-Motion to Vacate Interim Measures Arbitration Award, Respondents' Opposition to Petitioners' Motion for Summary Judgment, and all other submissions made to the Court in this proceeding, it is hereby:

ORDERED that Petitioners' Motion for Summary Judgment is granted; and it is further

ORDERED that the Interim Measures Order is confirmed; and it is further

ORDERED that an Order and Judgment is entered on the terms set forth in the Interim Measures Order; and it is further

ORDERED that Respondents shall immediately comply with the terms of the Interim Measures Order, including, without limitation, the immediate deposit of the sums directed in the Interim Measures Order into the escrow account identified in the Interim Measures Order; and it is further

ORDERED that Respondents shall submit proof of compliance with the Interim Measures Order with this Court within one (1) calendar day of this Order.

Dated: _____, 2024

SO ORDERED:

United States District Court Judge